

In the United States Court of Federal Claims

No. 16-840C
(Filed April 11, 2022)

BITMANAGEMENT SOFTWARE GMBH,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

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[PROPOSED] PRE-HEARING SCHEDULING ORDER

1. Hearing Preparation

- a. Discovery. No later than April 15, 2022, Counsel for each party will inform the other whether it believes any supplemental fact discovery is necessary and confer as to any disputes. Counsel may jointly request a conference with the Court to discuss a dispute, but must first attempt to confer to resolve any disputes pursuant to requirements of RCFC 37(a)(1).
- b. Pre-Hearing Filings.
 - i. No later than April 22, 2022, counsel shall exchange proposed supplemental lists of witnesses and exhibits.
 - ii. No later than April 29, 2022, counsel shall file any objections, including motions in limine, to the opposing party's proposed witnesses or exhibits.
 - iii. No later than May 13, 2022, counsel shall file responses in opposition to any such objections and motions in limine.
 - iv. No later than May 20, 2022, counsel shall file any replies to any such objections and motions in limine.

2. Pre-Hearing Conference. The pre-hearing conference will be held on June 7, 2022.
3. Hearing Dates and Location. The hearing shall commence on a date of the Court's choosing between June 14 and 17, 2022, and shall continue for 8 hours, or such time as agreed to at the pre-hearing conference, from 10:00 a.m. to 4:00 p.m. each day. It will be held in-person in Washington, D.C. The court expects to notify the parties of the precise location at or before the pre-hearing conference.
4. Post-Hearing Memoranda.
 - a. No later than July 15, 2022, Plaintiff shall file a Post-Hearing Memorandum of Fact and Law discussing the evidence concerning damages. The memorandum shall not exceed 30 pages.
 - b. No later than August 12, 2022, Defendant shall file a Post-Hearing Memorandum of Fact and Law responding to Plaintiff's memorandum and discussing the evidence concerning damages. The memorandum shall not exceed 30 pages.

IT IS SO ORDERED.

EDWARD J. DAMICH
Senior Judge